



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
									UNITED STATES OF AMERICA,)	Mag. Case No.	'08 MJ 86 15															
									Plaintiff,)																	
									v.)																	
									Preciliano MAJIN-Barona,)																	
									Defendant.)																	
)																	

The undersigned complainant being duly sworn states:

On or about July 06, 2008, within the Southern District of California, defendant Preciliano MAJIN-Barona, an alien, who previously had been excluded, deported or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF JULY 2008.

Peter C. Lewis
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Preciliano MAJIN-Barona

4
5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the investigative
7 reports of Border Patrol Agents P. Lagodzinski and J. Kruszynski, that the Defendant,
8 Preciliano MAJIN-Barona a citizen of Mexico, was found and arrested on July 06, 2008,
9 near Calexico, California.

10 On July 06, 2008, at approximately 8:30 A.M., Agent Kruszynski encountered a
11 group of individuals east of Calexico, California north of the international boundary with
12 Mexico. The group was attempting to hide from Agent Kruszynski in the Brush. As
13 Agent Kruszynski approached the group and identified himself to them, the group
14 attempted to abscond south into Mexico. Agent Kruszynski was able to stop three
15 individuals from the group, one later identified as Preciliano MAJIN-Barona, and
16 question them further. It was determined MAJIN and the other two are citizens of
17 Mexico illegally in the United States. MAJIN and the others were placed under arrest.
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19 At the station, a record check of MAJIN revealed he has been previously
20 removed from the United States on or about February 13, 2001. a further record check
21 of MAJIN revealed he has a serious criminal record.
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23 MAJIN was found in the United States without having sought or received
24 permission from the Attorney General of the United States or the Secretary of the
25 Department of Homeland Security to re-enter the United States after being removed.
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